

1 NICHOLAS A. TRUTANICH  
2 United States Attorney  
3 Nevada Bar Number 13644  
4 RICHARD ANTHONY LOPEZ  
5 Assistant United States Attorney  
6 501 Las Vegas Boulevard South, Suite 1100  
7 Las Vegas, Nevada 89101  
8 Tel: 702.388.6551 / Fax: 702.388.6418  
9 tony.lopez@usdoj.gov  
10 *Attorneys for the United States*

11  
12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 UNITED STATES OF AMERICA,

15 2:17-cr-212-APG-GWF

16 Plaintiff,

17 **Motion to Dismiss the Indictment**  
18 **Without Prejudice**

19 v.

20 LOWELL SMITH,

21 Defendant.

22 The single-count Indictment in this case charges Defendant Lowell Smith with

23 *Conspiracy to Defraud the United States*, in violation of 18 U.S.C. § 371. Based on a thorough  
24 review of the evidence and subsequent investigation in preparation for trial, the Government  
has concluded that the interests of justice require dismissal of the Indictment at this time.

Pursuant to Federal Rule of Criminal Procedure 48(a), the Government requests permission  
of the Court to dismiss without prejudice the Indictment.

Respectfully submitted this 8th day of March, 2019.

NICHOLAS A. TRUTANICH  
United States Attorney

s/ Richard Anthony Lopez  
RICHARD ANTHONY LOPEZ  
Assistant United States Attorney

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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

2:17-cr-212-APG-GWF

Plaintiff,

**Order of Dismissal of the Indictment  
Without Prejudice**

v.

LOWELL SMITH,

Defendant.

Pursuant to Federal Rule of Criminal Procedure 48(a), and upon leave of Court, the  
United States hereby dismisses without prejudice the Indictment against Defendant Lowell  
Smith.

NICHOLAS A. TRUTANICH  
United States Attorney

s/ Richard Anthony Lopez  
RICHARD ANTHONY LOPEZ  
Assistant United States Attorney

Leave of Court is granted for the filing of the above dismissal.

Dated: March 8, 2019.

  
HONORABLE ANDREW P. GORDON  
UNITED STATES DISTRICT JUDGE